IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 11696 of 2005

Between:

Smt.Kanda Sivakami W/o.P.Senthil
H.No.D.No.1, Arun Street, Gandhinagar Erode, 9, Tamilandu

State.

..... PETITIONER

AND

1 The Station House officer, Lalapet Police Station (L&O) Guntur,

Guntur District.
2 The Superintendent of Police Guntur.
3 The State of Andhra Pradesh, rep by it Principal Secretary

Department of Home, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Habeas Corpus, directing the respondents to produce the detenus by name Sri K.K.Palniswamy s/o. C.K.Kandaswamy and Sri P.Sekhar S/o.K.K.Palniswamy the father-in-law and brother-in-law of the petitioner in this Hon'ble Court in flesh and this Hon'ble Court may be pleased to record their statements and set them at liberty in case they are not require in any case.

Counsel for the Petitioner:MR.S.R.SANKU

Counsel for the Respondent Nos.1 to 3: THE ADVOCATE GENERAL

The Court at the admission stage made the following :

ORDER: (per Sri B. Sudershan Reddy, J)

The alleged detenus having been arrested in connection with the investigation in Crime No. 103 of 2005 registered under Section 420 IPC on the file of the Lalapet L & O Police Station, Guntur on 21-5-2005 were brought to the Police Station on 22-5-2005. That after complying with the formalities of arrest, the alleged detenus 1 and 2 were produced before the learned Additional Munsif Magistrate, Guntur on the very same day i.e, on 22-5-2005. The learned Magistrate after hearing the detenus and upon perusal of the documents of arrest sent the alleged detenus to the judicial custody for an initial period of 15 days. As at present, both of them are lodged at District Jail, Guntur.

In such view of the matter, it cannot be said that the alleged detenus having been detained illegally by the police. No relief can be granted in this habeas corpus writ petition.

The writ petition fails and is accordingly dismissed. No order as to costs.

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B. SUDERSHAN REDDY,J

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RAMESH RANGANATHAN,J

08-06-2005

sj/msv

To

1 The Station House officer, Lalapet Police Station (L&O) Guntur,

Guntur District.
2 The Superintendent of Police Guntur.
3 The State of Andhra Pradesh, rep by it Principal Secretary

Department of Home, Secretariat, Hyderabad.

4. Two CCs to the Advocate General, High Court Building,

Hyderabad.(OUT)

5. Two C.D. copies.